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Friday, Sept. 12, 2008

One county takes a look at parking tax

Levy could force businesses to move away

by Janel Davis and C. Benjamin Ford | Staff Writers

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A Montgomery County proposal to levy a parking space tax to pay for transit projects should be a regional effort, the leader of a transportation advocacy group said Thursday.

The proposal, offered by Councilwoman Nancy M. Floreen, would charge a \$250-per-space parking fee and use the money for infrastructure and environmental improvement.

"If you do something like that it needs to be part of a broader strategy," said Ben Ross, president of Action Committee for Transit. He said the money should go to Metro, which has no dedicated funding source in Maryland.

The Montgomery County Chamber of Commerce and other businesses question the timing of the proposal, coming after increases in taxes and fees at the state and county levels.

"Montgomery County must remain competitive on a local, national and global basis. We need to ask ourselves, 'Is this proposed legislation creating more problems than it solves?'" asked chamber President Georgette "Gigi" Godwin in an e-mail to The Gazette.

Floreen (D-At large) of Garrett Park has floated the idea to the county's chambers, civic and environmental groups to get feedback on the proposal that was originally recommended in October by an infrastructure financing work group.

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"If we are committed to addressing climate-change needs and addressing transportation infrastructure needs, we clearly need to look at ways for reliable source funding for transit," she said.

But critics say that, if passed, the proposal could have the unintended consequence of having businesses relocate to a neighboring county.



Brian Lewis/The Gazette

To some people, parking spaces like these look like an ocean of asphalt. To a Montgomery County Council member, this lot would represent a new revenue source for transit and environment programs.



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"I know Nancy Floreen is trying very hard as a good public servant to find additional funds for additional infrastructure that is needed," said Robert Brewer, of Lerch, Early and Brewer in Bethesda, a law firm that represents some of the county's largest commercial and institutional property owners. "No one disagrees with the ultimate goal. It's the disproportionate impact on a certain segment of society. It sends a negative message to the business community: 'You're not paying enough tax and need to pay more.'"

The proposal is estimated to generate \$75 million each year in dedicated funding for transit construction projects. Excise tax payers could reduce by half the taxes due if they agree to a traffic mitigation agreement, including requiring all employees to pay commercial parking rates, giving employees discounts for mass-transit fares and offering preferential parking spots or rates for carpools and van pools.

The measure could lead to nonsensical government requirements. For example, the county requires new commercial construction to have a minimum amount of parking spaces even if the spaces are not needed, Ross said.

"It makes no sense to have parking minimums if you're going to tax each parking space," he said.

In addition, in Bethesda and Silver Spring, buildings that do not have parking are taxed while buildings with parking are exempted, he said.

"You shouldn't be taxing people for building parking at the same time you're taxing people for not building parking," Ross said.

Brewer said the unintended consequence of a parking lot tax would be to encourage businesses and institutions from moving from the county, he said.

The county's environment groups are generally on board with the transit parts of the plan.

"Generally speaking we do support improving public transit as a way of giving people more options as a way of moving around the country," said David Hauck, chairman of the county's Sierra Club. "The aspect of raising money for more public transit is a positive; we support that."

County Executive Isiah Leggett (D) is withholding judgment on the proposal. Like other observers, he is concerned with the timing of the legislation.

"I'm not sure right now that an added cost would be acceptable in the current fiscal environment," he said.

Floreen said she expects the council to begin discussing the proposal sometime this fall.

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